

GILBERT LAW GROUP

425 BROADHOLLOW ROAD, SUITE 405
MELVILLE, NY 11747-4701
631.630.0100

JAGILBERT@gilbertlegal.net
WEBSITE: gilbertlegal.net
FAX: 631.630.0101

BY ELECTRONIC FILING

September 30, 2022

Honorable Lee G. Dunst
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 830
Central Islip, New York 11722

**Re: *Schinkewitsch v. New York Institute of Technology*
19-cv-05199 (GRB) (LGD)**

Dear Judge Dunst:

This firm represents the Plaintiff in the above-referenced action. This letter serves to respectfully request an extension, on consent, of the fact discovery deadline through November 14, 2022.

Counsel for the parties have been working cooperatively to complete discovery. At this time, the vast majority of discovery has been completed. There are, however, a few outstanding items which the parties estimate will take the time requested to complete.

As discussed during our previous Status Conference, which was held on September 2, 2022, the parties conducted and completed their respective depositions in the past month. As a result of new information discovered through deposition testimony, plaintiff submitted post-deposition demands. Counsel for defendant has reviewed the demands and proposed that 45-days would be necessary for their client to respond. The parties have conferred and, as of the date of this request, do not expect further demands to be necessary.

This represents the second request for an extension to the fact discovery deadline made by plaintiff (plaintiff's first request was made jointly), and the third such request overall. To date each request for an extension to the fact discovery deadline has been granted. Should Your Honor grant plaintiff's request, the following amended discovery schedule is proposed:

- November 14, 2022 – Deadline to complete fact discovery;
- December 14, 2022 – Deadline to exchange expert reports;
- January 13, 2023 – Deadline to complete expert depositions; and
- February 13, 2023 – Deadline to take first step in dispositive motion practice.

Thank you for Your Honor's consideration of plaintiff's request.

Very truly yours,

GILBERT LAW GROUP

A handwritten signature in black ink, appearing to read "Jason Gilbert", written in a cursive style.

JASON ANDREW GILBERT

cc: Stefanie R. Toren, Esq. (*via* ECF)
Stephen P. Pischl, Esq. (*via* ECF)
Douglas P. Catalano, Esq. (*via* ECF)